

**KANAB CITY COUNCIL MEETING
AUGUST 23, 2011
KANE COUNTY COMMISSION CHAMBERS**

PRESENT: Mayor Nina Laycook, Council Members Tony Chatterley, Cheryl Brown, James Sorenson, Steve Mower and Ed Meyer, City Manager/Recorder Duane Huffman, Attorney Greg Hardman and City Treasurer RaeLene Johnson.

Opening Prayer was offered by Duane Huffman.

WORK MEETING: The staff report was given by Duane Huffman. He updated the Council on the budget. He presented the Council with a rough draft of the changes to the personnel policy. Some of the changes were to remove material that is not needed in the personnel policy. Job descriptions were removed from the personnel policy, but retained at the departmental level. The merit pay was removed from the personnel policy and will be included in the budget process. Also, the wording about health insurance was changed from will provide to may provide. City Manager Huffman suggested the Council go forward with the core policy and then come back and review the policy questions. The Kanab Creek Drive bridge project was discussed. The pre-construction meeting was held August 23. The bridge will be closed September 1 until the end of October. The project has a 60 calendar day time limit to have the bridge completed. Council Member Mower said they may be working on the project 12 hours a day six days a week. Mr. Dave Baird addressed the Council requesting a public meeting to be held at the library for public input on a dog park concept. Council members supported this idea. The agenda items were reviewed. The Initiative was discussed. Attorney Hardman explained the difference between an initiative and a referendum. An initiative is a proposal of new legislation and a referendum is a change of laws that have already been passed. The initiative is requesting amendments to the ordinance dealing with conditional use permits and building permits prior to passage, the citizens would have to vote on each. Mr. Hardman explained the initiative process.

Mayor Laycook opened the meeting at 7:20 p.m.

APPROVE MINUTES & VOUCHERS: A motion was made by Council Member Brown and 2nd by Council Member Chatterley to approve the minutes of the August 9th meeting as corrected and the vouchers. Motion passed unanimously.

RECOGNITION OF BOB HUBBARD'S YEARS OF SERVICE ON THE CITY

PLANNING COMMISSION: Mayor Laycook informed the audience that Bob Hubbard is retiring after serving many years on the Planning Commission. She presented his wife, Katherine Hubbard, roses for supporting Mr. Hubbard during his years on the Planning Commission. She then presented Mr. Hubbard a Kanab City Posse award for his dedication over the years. He has been very committed to this service. Council Member Sorenson said that he has known Bob for 10 years. He has learned a lot from him, and he is going to miss him. He appreciated his

dedication.

PUBLIC COMMENT SESSION: Mayor Laycook turned the time over to public comment.

Joan Thatcher addressed the Council representing eight other sponsors of the Citizen Initiative Land Use Ordinance. She read a letter to the Council stating why the Council should adopt the Initiative Ordinance. She said that the Initiative Ordinance calling for a public vote on a coal-gasification facility will be on the ballot regardless of the City's decision. She said that the Council approved Mr. Guthrie's Conditional Use Permit over the right of citizens to vote, so she demanded that the Council approve the Initiative Ordinance.

Caralee Woods asked if a special election could be held in June 2012 instead of waiting for the election in 2013. She was told that there could be a special election. Initiatives qualify for a special election.

Connie Sanford suggested requiring a bond before starting the project until the Council could be satisfied with the project.

Marcia Martin, who lives outside of the City, said that this project will affect people outside the City. It will affect everyone.

Charlie Wright said that it would be better if the City was unified instead of divided.

Marlene Barnes felt that the Council had an obligation to the residents more than the developers. She said residents don't want any industry.

Tom Carter felt the City needed to attract people to Kanab in a good way. He feels that tourism is the City's greatest potential.

Gale Reeves stated that there is a special heritage here, but there is more than western. There is a lot of environmental things offered here.

Roger Hoverman said that he would like to know what permanent work will be offered. He said it is not going to be what some think.

Linda McEvoy stated she does not want more industry.

City Manager Huffman said that the initiative had received 650 valid voters signatures. Only 410 were required. To be valid the person had to have voted in the 2008 presidential election.

Council Member Sorenson said there has been many things said over the last few months, and he feels this is an opportunity to chart our community through our General Plan and Master Plan.

Industry is part of our land use ordinance. This ordinance that is presented to the Council does not have consideration for the whole process. Council Member Sorenson stated he is uncomfortable taking this ordinance and adopting it. He doesn't know who wrote it or what is their purpose. He feels there is ways that the City can work together. He thinks that the City needs to adopt a competitive ordinance to go to the voters. He is also concerned about relying on 100% tourism. Council Member Meyer was concerned with asking for signatures while standing in front of someone else. He felt the voters needed two proposals. He felt that it was more important to have a sound ordinance than just voting on a single item. Council Member Mower said he would like to have 30 days to do some research. He felt there were some things missing in the ordinance presented with the initiative. He wouldn't like to adopt something that would

only appease a certain number of people. Cheryl Brown expressed a desire to take more time. Council Member Chatterley felt that the cost of employing an inspector that has specific qualifications in inspecting all components of a coal hydro-gasification facility or electric generating facility including the piping and components that will be subject to high pressures would cost the City more than can be budgeted at this time.

DELIVERANCE OF LOCAL INITIATIVE PER UCA 20A-7-501(2) AMENDING THE CITY LAND USE ORDINANCE TO REQUIRE VOTER APPROVAL OF A COAL HYDRO-GASIFICATION OR ELECTRIC GENERATING FACILITY:

Council Member Meyer made a motion to accept the deliverance of the initiative. Motion 2nd by Council Member Sorenson. Motion passed unanimously. Council Member Meyer made a motion to table the initiative until the Council could come to a decision within 30 days. Motion 2nd by Council Member Mower. Motion passed unanimously.

CONSIDER RESOLUTION 8-4-11R/A RESOLUTION ADOPTING RULES FOR THE REGULATION OF PROCEDURE AND PRACTICE FOR LAND USE APPEAL

HEARINGS: A motion was made by Council Member Sorenson and 2nd by Council Member Chatterley to adopt Resolution #8-4-11 R adopting rules for the regulation of procedures and practice for land use appeal hearings as amended with following statement. The time limitation of 60 minutes may be extended by stipulation of parties and approval of City Council. Motion passed unanimously by roll call vote.

CONSIDER APPOINTMENT OF ELECTION JUDGES/POLL WORKERS FOR THE SEPTEMBER 13TH MUNICIPAL PRIMARY:

A motion was made by Council Member Brown and 2nd by Council Member Mower to appoint the following as election judges/poll workers:

K1 Kanab City Fire House

Gloria Vance
Judy Habbeshaw
Mariel Budd
Maggie Browning

K2 Kanab City Library

Shauna Cram
Jim Willis
Jana Beebe
Ruthie Itow

K3 Kane County Courthouse

Building

Shirley Johnson
Sherran Bunting
Pat Blankenship
Joyce Ross

K4 Kane County Search and Rescue

Linda Bishop
Linda Blakeley
Ruthie Norskog
Karen Arndt

Alternates

Natali Button

Stana Fisher

Motion passed unanimously.

CONSIDER APPROVAL OF MULEY CRAZY MINOR SUBDIVISION LOCATED AT APPROXIMATELY 1400 SOUTH HIGHWAY 89A:

A motion was made by Council Member Sorenson and 2nd by Council Member Brown to approve the Muley Crazy minor subdivision located at approximately 1400 South Highway 89A on condition that an adequate conveyance of water agreement between lots 1 and 2 being recorded simultaneously with the subdivision as recommended by the Planning Commission. Motion passed unanimously.

MERIT EVALUATIONS: A motion was made by Council Member Mower and 2nd by Council Member Meyer to approve the merit evaluations and the pay increases for Keith Robinson, Public Works Director, Travis Clark, Public Works Maintenance Tech II and Jim Aziz, Cemetery/Public Facilities Maintenance Supervisor. Motion passed unanimously.

A motion was made by Council Member Sorenson and 2nd by Council Member Chatterley to go into Executive Session to discuss pending litigation. Motion passed unanimously.

A motion to adjourn Executive Session was made by Council Member Chatterley and 2nd by Council Member Brown. Motion passed unanimously.

A motion to adjourn was made by Council Member Sorenson and 2nd by Council Member Mower. Motion passed unanimously.

MAYOR NINA LAYCOOK

RECORDER DUANE HUFFMAN